

21464/p

82441

PAPERS

IN CONNEXION WITH

THE LETTER OF PROFESSOR SYME,

REGARDING THE PRESENT STATE AND FUTURE
PROSPECTS OF

THE MEDICAL SCHOOL.

PRINTED BY ORDER OF THE COLLEGE COMMITTEE,
10TH SEPTEMBER 1840.

EDINBURGH:

PRINTED BY H. & J. PILLANS, 7. JAMES'S COURT.

1840.



CONTENTS.

- I.—Letter from Professor Syme to the Lord Provost, dated 21st January 1840. - - - Page 1.
- II.—Extract Minute of the Senatus Academicus, dated 8th February 1840, transmitted as an answer *ad interim* to a Communication from the Council accompanying a copy of Professor Syme's letter, and requesting "that the Senatus Academicus will favour them with such observations as occur to them upon the letter, and that along with these observations, they will send copies of such documents as may have been under their consideration in the course of the discussions referred to by Professor Syme, and Extracts of such relative Minutes as the Senatus think fit." - Page 4.

The following papers (Nos. III. to IX.) were transmitted by the Senatus Academicus in answer to a letter from the College Committee, dated 14th February 1840, requesting that "they will be pleased to send to them copies of all the papers connected with the business," and stating, "that after these have been duly considered, they will be prepared to meet a Committee of the Senatus."

- III.—Report by the Medical Faculty on proposed changes in the Curriculum for the Degree of M. D. - - Page 4.
- IV.—New Statutes proposed for the Degree of M. D. Page 11.
- V.—Memorial from the Royal College of Surgeons, regarding the proposed changes, dated 10th December 1839. - Page 16.
- VI.—Communication from the Royal College of Physicians, dated 17th December 1839. - - - Page 22.
- VII.—Excerpt from Minutes of the Royal College of Physicians, dated 26th, and transmitted by the President to the Principal, on 29th December 1839. - - - Page 23.
- VIII.—Propositions relative to the Education of Medical Practitioners, March 1839. - - - Page 25.
- IX.—Minutes of the Senatus Academicus, commencing 23d November 1839, and ending 8th February 1840. - - Page 33.
- X.—Memorial for the Extra-Academical Lecturers, relative to the present state of the Laws respecting the Education of Candidates for

- the Degree of M. D., dated 17th February 1840, and transmitted by Dr Andrew Douglas Maclagan. - - Page 38.
- XI.—Letter from the President of the Royal College of Surgeons, dated 21st February 1840, referring to the Papers Nos. X. and V. - - - Page 52.

On 3d April 1840, the College Committee transmitted the papers “to the Senatus Academicus and Medical Faculty, with a request that they will state their views in regard to the matter in writing, previously to any meeting for conference, and in order that the Committee may be fully prepared to take up the whole question, which is one of great importance.” The following was received in reply, along with a letter from Principal Lee, which was mislaid while the papers were in course of circulation, and cannot therefore be printed.

- XII.—Extract Minute of the Senatus Academicus, dated 20th April 1840. - - - Page 54.

It having been suggested that it was desirable the members of Council should have before them, when considering these Papers, the judgment of the Court of Session in the Action of Declarator raised against the Senatus by the Patrons, the same is subjoined.

- XIII.—Interlocutor of Lord Mackenzie, his Lordship’s Note, and Interlocutor of the Inner-House,—dated 13th November 1827, and 15th January 1829, respectively. - - Page 61.

PAPERS, &c.

I.—*LETTER from PROFESSOR SYME to the LORD PROVOST.*

Charlotte Square, 21st January 1840.

MY LORD PROVOST,

I BEG to call the attention of your Lordship and the other Patrons of the University, to the present state, and future prospects, of this Medical School. For several years there has been a progressive diminution in the number of Students; and it is evident, that if this annual falling off continues, the classes will soon become so small, as not either to provide an adequate support for the Professors, or to afford a sufficient stimulus for their exertions in teaching. It is therefore incumbent on all connected with the University, to inquire into the cause of diminution, and, if possible, devise means for its remedy.

Of late, and more especially during the last year or two, the public seem to have become aware, that the Medical profession, however useful and honourable, is not so lucrative, or even so capable of affording the means of livelihood, as other occupations both at home and abroad; and there can be no doubt, that the number of Medical Students throughout the country has, in consequence, sustained a great decrease. In some measure, this may account for the decline in Edinburgh; but as other Schools of Medicine have not suffered in the same proportion, while some of them have actually increased in

numbers, it is necessary to look further for the cause of the effect in question, and little difficulty will be experienced in doing so.

In order to obtain the degree of M. D. in Edinburgh, candidates must study a certain number of years, and attend certain courses of Lectures in this or some other University—the instruction received at the Hospital Schools of London, at the School in Dublin established by the College of Surgeons, and at all the Provincial Schools, is consequently disregarded as a qualification; and the Students who would desire to graduate here, provided their time and attendance elsewhere were permitted to stand for part of the prescribed curriculum, are thus excluded. But it is known, that many of the gentlemen so situated, are in the highest degree qualified to reflect credit on the source of their professional honours, so that their admission would not only keep up the numbers, but tend to maintain the character of our School.

The strict adherence to this rule also operates very injuriously in regard to those most respectable members of the profession, who, having succeeded in general practice so as to acquire wealth and reputation, at length wish to occupy the less laborious and more dignified position of Physicians. Many such practitioners resort every year to the Universities of Scotland in quest of the degree which is requisite for their purpose; and not being able to withdraw themselves from their families and patients for the long period of three years, too frequently find it necessary to repair to Glasgow or St Andrew's instead of coming to Edinburgh, which they often declare themselves anxious to do, provided their object could be obtained here within a shorter space of time.

But the exclusive system operates prejudicially in still another way, which it is of the greatest consequence the Patrons should fully understand. The two principal arguments for enforcing University study, are, 1. That the education so obtained is of the highest quality, and therefore calculated to raise the estimation of the Degree; and 2. That the interests of the Professors are thus protected, so as to make their Chairs objects of ambition to men of character and station. Now, though it is true that teachers selected by responsible bodies, may, in

general, be held superior to those self-constituted, as most of the private lecturers are ; it by no means follows, that academical instruction is always better than that which is extra-academical. Notwithstanding the utmost care on the part of electors, Professors must be occasionally appointed to the discharge of duties, for which they are not fully prepared or competent ; and no one can be equally efficient during the whole course of his life. On the other hand, the vigour of youth, and the impulse of talent alone, may raise lecturers, having no authority except what is derived from their own success, to the confidence of students, and the respect of the public. But a curriculum of study which enforces instruction that may be imperfect, and disregards that which may be of the highest quality, however specious in appearance, cannot constitute a secure foundation for the respectability of a title to practice. As to the interests of the Professors, again, it is plain, that the present system tends to benefit most those who prove remiss in the discharge of their duty. Every one, in the course of time, may, from various causes, find the efficiency of his instructions impaired, and thus become liable to suffer from relaxation of the exclusive privilege at present enjoyed. But if, during the entire period of life, he was to exert his energies unfettered by University monopoly, he might be better able to make provision for the evening of his days, and maintain the character of his Chair as an object of ambition. The exclusive system, therefore, cannot be beneficial either to the Students or to the Professors.

Actuated by such considerations as those I have now endeavoured to express, a majority of the Medical Faculty resolved last summer, to recognise extra-academical instruction to a certain extent, and under certain restrictions. The Senatus Academicus, however, withheld their assent, and since that time, notwithstanding repeated discussions, in the course of which every argument has been exhausted, they have resisted all attempts of the Medical Faculty to obtain a relaxation of the exclusive system at present enforced. In these circumstances, the Professors who are so deeply interested, must either passively witness the destruction of their hopes, or appeal to the Patrons for their interference. For my own part,

I feel that, independently of all other considerations, my duty to the University requires me to make the communication I have now the honour of very respectfully submitting to your Lordship and the other Patrons, in the hope that it will lead to inquiry ; and that the proposal of the Medical Faculty, if it not only appears reasonable in itself, but is found to be supported by the common voice of the profession, will yet be carried into effect.

I have the honour to be,

MY LORD,

Your Lordship's most obedient Servant,

JAMES SYME.

The Lord Provost.

II.—*EXTRACT from the Minutes of the Senatus Academicus of the University, of date 8th February 1840.*

It was agreed that the following answer be transmitted to the Honourable Patrons, in regard to the communication received from them, accompanying the letter addressed by Professor Syme to the Lord Provost.

“The subject of the University arrangements for the Medical Degree, is an extensive and complicated one, on which the Senatus trust that the Patrons will not act without due deliberation ; and they are willing to appoint a Committee to meet with the Committee of the Town Council, and furnish them with such explanations, and copies of such documents, as they may think necessary on this matter.”

III.—*REPORT on Proposed Changes in the Statuta Solennia ; submitted by the Medical Faculty to the Senatus in July 1839, and altered in November 1839.*

THIS University has hitherto, in fixing the qualification for its Medical Degree, adhered to the system of maintaining Uni-

versity privileges; and it is distinctly avowed, that the modification of that system now proposed is not the result of any change of opinion as to the truth or public usefulness of the principle on which it was founded. The members of the Medical Faculty are not ashamed to justify the privileges they have hitherto possessed, nor are they intimidated by the imputation of selfish and interested motives, which they think the successive extensions of the Course of Study introduced by them within these few years, and not yet imitated in any other University, have been more than sufficient to repel. They have seen nothing to alter their opinion, that, in the qualification for the Medical Degree, a decided preference ought to be given to the instructions of authorized teachers in Universities, on all the required subjects of study,—an opinion which is founded on two simple, and, as the Faculty think, decisive reasons: *First*, that in the careful scrutiny and selection which those who are appointed to these situations may always be expected to have undergone, there is a better security to the public than in the case of others (probably as good a security as the nature of human affairs will permit), for the fitness of the teachers in each department; and, *secondly*, that in a country where endowments to medical teachers are not granted by the State, there is no other mode by which the public can have a sufficient security for highly educated and able men permanently devoting themselves to the business of teaching (particularly in the more strictly scientific and less practical departments), than by securing to them in some measure the profits of teaching. The truth of these principles, as the Professors think, does not rest on theory, but on the sure basis of experience, both in this and other countries.

It has been said, indeed, that students may be safely left to judge for themselves of the merits of teachers, and that the same objects will be secured by open unfettered competition among teachers, as in ordinary trade and commerce: but the Professors are confident that these opinions are contradicted by facts; that the theory of free trade is wholly inapplicable to the subject of medical tuition, where the demand is necessarily limited and incapable of increase, and where the purchaser is often a very imperfect judge of the value of the com-

modity ; and that unrestricted competition can have no other effect than that which, in some parts of Britain, is already taking place, viz. to multiply the number of teachers, and subdivide the pupils, until the duty of teaching shall cease to be an object of attraction to men of talent or standing, or good prospects in the profession.

The Professors are, at the same time, perfectly aware of the importance of encouraging (so far as these principles will admit,) competition among teachers, as well as all other servants of the public ; and they are well aware also of this peculiarity of medical instruction, that a great part of it must necessarily be taken in hospitals and other practical schools, which cannot be included within the walls of a University. They cannot accuse themselves of illiberality in this respect. The Senate have always allowed instruction in all other Universities, British and Foreign, which are authorized to grant a Medical Degree, to reckon as equivalent to their own ; when they extended the Course of Study for the Degree to four years, at the recommendation of the Medical Faculty, they allowed one of these years to be taken wherever Hospital attendance and instruction in Anatomy could be combined ; and they have always confined the requisition in their Statutes to a single attendance on each of the prescribed subjects of study ; purposely leaving it at the option of students to prosecute partly in some extra-academical schools, those branches which the strictness of the examination uniformly compels them to study more than once.

This system, of absolutely demanding each subject to be studied once in Universities, but virtually requiring a repetition of the more important branches, and leaving the student at liberty as to their repetition, appears to the Professors to combine various important advantages. If it had been adopted in other Universities, they think that the system of Medical instruction in this country would have been better than it now is, and that the prospect of Medical education in future, would have been greatly improved ; and if, by a Legislative measure, the education for the Degree in Medicine in all Universities had been so regulated, as to make it possible for a University maintaining it to enter fairly into competition with

others, the Faculty would not have proposed the change now in their contemplation.

But, however confident they may be of the truth of their own opinions on this subject, the Faculty cannot shut their eyes to the fact, that very different opinions are entertained and acted on by most members of the profession; and there is no wisdom in adhering to abstract principles, however just, *under circumstances which frustrate their useful application*. At this moment, all the other public bodies, which are authorized to grant licenses for medical practice in Britain, hold the instruction given in extra-academical schools equivalent to—in some instances they make it practically more advantageous than—that given in this University. All the other British Universities receive the certificates of such schools as, in certain circumstances, equivalent to their own; so that a student may qualify himself at almost any one of those schools, on any one of the branches, for any degree or diploma except that of this University.

Several Universities keep the qualification for their degree considerably lower than that which is here required, even lower than that which is required by the Colleges of Surgeons.

The Faculty had reason to hope, that, before this time, a Legislative measure would have been adopted, by which University studies would have been put at least on an equal footing, in all parts of the country, with those prosecuted in other schools; and by which a certain uniformity of qualification, and as full a medical education as the circumstances of the profession will admit, would have been imposed on all Universities granting the degree; but the prospect of a general measure seems to be nearly as distant as ever; and the proceedings of Government, in regard to the London University, make it almost certain, that, if a general measure is adopted, it will be founded on a very different principle from that which this University would approve.

The University of London, acting under the sanction of Government, has issued regulations, expressly favouring what may be called the Voluntary System of Medical Education, by recognising certificates from numerous self-constituted schools, as equivalent to those of Universities; and at the same time

has imitated the conduct of other Universities, by keeping the course of medical instruction requisite for that degree which gives the licence to practise, considerably short of that which is required by the University of Edinburgh.

It is also to be remembered, that several of the extra-academical schools which have thus been fostered and encouraged, particularly those which have been formed at the great Hospitals in London, and that which is constituted and supported by the College of Surgeons in Dublin, have gradually acquired a very high reputation ; that the teachers in these are carefully selected and appointed ; and that so many of the most esteemed practitioners, particularly in England and Ireland, have been bred at them, that it has become almost necessary for most of the young men of England and Ireland entering the profession, to take part of their education in those schools, whether they take the rest in Edinburgh or not.

Meantime, the Apothecaries' Act, which is still in force, requires every general practitioner in England and Wales to take the diploma of the Apothecaries' Company in London, so that access to the most usual line of medical practice in England and Wales can only be obtained in London, and a continual bounty is given to that inferior preparation for medical practice which is enjoined by the Apothecaries' Company there.

When we see that such facilities and encouragement are given to the students at these extra-academical schools, and remember also, that a great portion of the public are necessarily imperfect judges of the real attainments of medical men, it does not appear possible for this University, in the absence of any legislative regulation of medical education, to maintain its connection with the practical part of the profession in all parts of the country, and to keep up the number of its graduates, and the credit of its degree, and continue to benefit the public as heretofore, without making farther allowance than it has yet done, for that mode of instruction, which is so generally encouraged in all other places, where the license to practise medicine is given.

The question for the consideration of the Senatus, therefore, is, whether the statutes for the medical degree may be so mo-

dified as to admit of the best educated men from some of these extra-academical schools graduating here, without departing from the principle which, for the reasons above stated, the Faculty hold to be equally just and important, viz., that a full course of University study is entitled to a decided preference over the instructions given by teachers in other schools.

With these views, they propose to alter the statutes for the degree of M. D. to this effect—That there shall be in future two classes of candidates for graduation.

I. Four years' students, qualified according to the rules now in force, who shall be required to have studied all the prescribed subjects in Universities, and to have spent one winter in Edinburgh.

II. Five years' students, who shall be allowed to make up their course of study as follows :

1. They must have two winter sessions, and have attended at least seven of the prescribed classes in Universities already recognised,—one of these sessions in Edinburgh.

2. They must have at least another winter session, and have attended three more of the prescribed classes, either in some such University, or in one of the schools attached to one of the great Hospitals in London, or in the School of which the Professors are appointed by the College of Surgeons in Dublin.

3. They shall be at liberty to attend the remaining two sessions, and to take the remaining four classes, at any school which may be recognised, after special application, by this University. *

By these means, the superiority of University education will be still asserted, and the qualification for the degree in Edinburgh will be kept higher than in any other University or licensing school, while, at the same time, an opportunity for graduation in Edinburgh will be given to nearly all who have a full course of medical instruction, although that shall have partly been taken at those extra-academical schools, which the institutions of this country, beyond the control of the University, have so largely encouraged.

* Subsequently altered to what appears in Section III. of the New Statutes.

Number of Anni Medici, and Nature of the Medical Education of Candidates, in 1838 and 1839.

Candidates in 1838, . 107 in 1839, 129, = 236		1838.	1839.	1838-9.
1.	Candidates, with no medical education whatever, but four University years, -	25	23	48
2.	Candidates with no education, but three University years, and one Hospital year, -	0	1	1
3.	Candidates with four University years, and additional years of unrecognised education by private practice, hospital attendance, or apprenticeship, -	19	22	41
4.	Candidates with three University years, one recognised Hospital year, and additional years of education by private practice, hospital attendance, or apprenticeship, -	5	2	7
5.	Total Candidates on four <i>anni medici</i> , -	49	48	97
6.	Candidates on five <i>anni medici</i> , -	34	55	89
7.	Candidates on six <i>anni medici</i> , -	18	18	36
8.	Candidates on seven <i>anni medici</i> , and upwards, -	6	8	14
		107	129	236
1.	Candidates 21 years of age, with nothing more than four <i>anni medici</i> , -	13	8	21
2.	Candidates 21 years of age, with four <i>anni medici</i> , and additional unrecognised education, -	4	4	8
3.	Candidates 21 years of age, with five <i>anni medici</i> or upwards, -	14	28	42
4.	Total Candidates at 21 years of age, -	31	40	71
5.	Do. 22 -	24	21	45
6.	Do. 23 -	15	20	35
7.	Do. 24 -	11	13	24
8.	Do. 25 -	8	9	17
9.	Do. 26 and 27, -	10	14	24
10.	Do. 28 and upwards, -	11	10	21

IV.—*STATUTES of the University of Edinburgh, relative to the Degree of M.D. Altered by the Medical Faculty, in conformity with the Resolution of the Senatus of December 7. 1839, and to be considered by the Senatus on Saturday, 4th January 1840.*

SECT. I. Candidates for the Degree of M.D. will be admitted to Examination after four years of Medical Study, provided they shall either have attended Medical Lectures during at least six months of each year, in some University which grants Medical Degrees, or have qualified themselves in this manner for three years, and during at least six winter months in another year have studied Practical Anatomy, and attended the Medical or Surgical practice of a General Hospital of at least One Hundred Beds. 80 Beds, Old Stat.

SECT. II. Every such Candidate shall give sufficient evidence,—

1. That he has studied, once at least, each of the following departments of Medical Science in some University, as already defined, namely,

- | | | | | |
|--|---|---|---|--|
| 1. ANATOMY, | - | - | - | } During Courses of Six Months at least. |
| 2. CHEMISTRY, | - | - | - | |
| 3. MATERIA MEDICA, | - | - | - | |
| 4. SURGERY, | - | - | - | |
| 5. PRACTICE OF MEDICINE, | - | - | - | |
| 6. INSTITUTES OF MEDICINE, | - | - | - | |
| 7. MIDWIFERY, AND DISEASES OF WOMEN AND CHILDREN, | - | - | - | |
| 8. PRACTICAL ANATOMY, unless attended in his extra Academical year (Sect. I.), | - | - | - | |
| 9. CLINICAL MEDICINE, | - | - | - | } During one Course of Six, or two of Three Months. |
| 10. CLINICAL SURGERY, | - | - | - | |
| 11. GENERAL PATHOLOGY, | - | - | - | } During Courses of Gen. Path. a Six months' Course in Old Stat. |
| 12. MEDICAL JURISPRUDENCE, | - | - | - | |
| 13. BOTANY, | - | - | - | |
| 14. NATURAL HISTORY, | - | - | - | |

All these Explanatory
 atory Clauses
 re new, but
 merely define
 what is the pre-
 sent practice.

N. B. It must be understood that the Six Months' Courses comprise at least 110, and the Three Months' Courses 60 Lectures.

That Practical Anatomy implies demonstrations every lawful day, except Saturday, and that the apartments are open to the Pupils daily.

That Materia Medica comprises both Therapeutics and Pharmacy; or, if not, that a distinct Course on each subject must be attended.

That where Natural History is not taught as at this University in all its branches in a single Course, the equivalent Course or Courses shall comprise at least Zoology, founded on Comparative Anatomy, and also the principles of Geology.

That where the Institutes of Medicine are not completely taught in a single Course, Physiology shall be received as equivalent.

60 Beds in Old
 Stat.

That Clinical Medicine and Clinical Surgery must comprise at least two Lectures in the week, and must be taught in a General Hospital of at least 100 beds, or in a Medical or Surgical Hospital of 60 beds at least:

That the branches of Anatomy, Chemistry, Botany, Natural History, Physiology, Materia Medica, Surgery, Midwifery, General Pathology, and Medical Jurisprudence, must be illustrated by experiment and demonstration, or with the aid of competent collections of apparatus, specimens, preparations, and drawings.

2. That in each year of University Study he has attended at least two Six Months' Courses of the prescribed subjects, or one of these, and two of the Three Months' Courses.

0 Beds in Old
 Stat.

3. That besides the Course of Clinical Medicine already prescribed, he has attended for at least six months of another year, the Medical or Surgical Practice of a General Hospital,

4. That he has attended for at least six months, by Apprenticeship or otherwise, the Art of Compounding and Dispensing Drugs at the Laboratory of an Hospital, Dispensary, Member of a Surgical College or Faculty, Licentiate of the

London or Dublin Society of Apothecaries, or a professional Chemist and Druggist.

5. That he has attended for at least six months, by Apprenticeship or otherwise, the Out-practice of an Hospital, or the Practice of a Dispensary, or that of a Physician, Surgeon, or Member of the London or Dublin Society of Apothecaries.

SECT. III. Candidates, not qualified according to Section I., will be admitted to Examination after five years of Study, provided they have attended, 1. during two Winter Sessions and one Summer Session, in some University which grants Medical Degrees, at least seven of the Courses prescribed in Section II.; and 2. during the additional years, the remainder of the prescribed Courses, either in some such University, or in one of the Schools attached to the following Hospitals in London, namely, Guy's, St Bartholomew's, St Thomas's, St George's, Westminster, London, Middlesex, or in the School instituted by the Royal College of Surgeons in Dublin.

The whole of this Section is new.

N.B.—The qualifying Extra-Academic Courses must be given as according to Section II., and the certificates of attendance upon them shall certify the degree of regularity of attendance, and the method taken for ascertaining it.

Candidates who may have attended Extra-Academical Courses at the Schools above specified, prior to the promulgation of the present Regulations, will be entitled to count two Courses of 60 Lectures each, as equivalent to one Six Months' Course of 110 Lectures, and two of 40, as equivalent to one Three Months' Course of 60 Lectures.

SECT. IV. No one shall obtain the degree of Doctor who has not studied, in the manner already prescribed, for at least one Winter Session previous to his Graduation, in the University of Edinburgh.

No change from Old Stat. after Sect. III.

SECT. V. Every Candidate for the Degree in Medicine, must deliver, before the 24th of March of the year in which

he proposes to Graduate, to the Dean of the Faculty of Medicine,—

First, A Declaration, in his own handwriting, that he is twenty-one years of age, or will be so before the day of Graduation ; and that he will not be then under articles of apprenticeship to any Surgeon or other master.

Secondly, A Statement of his Studies, as well in Literature and Philosophy as in Medicine, accompanied with proper Certificates.

Thirdly, A Medical Dissertation composed by himself, in Latin or English ; to be perused by a Professor, and subject to his approval.

SECT. VI. Before a Candidate be examined in Medicine, the Medical Faculty shall ascertain, by examination, that he possesses a competent knowledge of the Latin language.

SECT. VII. If the Faculty be satisfied on this point, they shall proceed to examine him, either *viva voce*, or in writing ; *first*, on Anatomy, Chemistry, Botany, Institutes of Medicine, and *Natural History* bearing chiefly on Zoology ; and, *second'y*, on Materia Medica, Pathology, Practice of Medicine, Surgery, Midwifery, and Medical Jurisprudence.

SECT. VIII. Students who profess themselves ready to submit to an Examination on the first division of these subjects, at the end of the third year of their studies, shall be admitted to it at that time.

SECT. IX. If any one, at these private examinations, be found unqualified for the Degree, he must study for another year two of the subjects prescribed in Section II., under Professors of Medicine, in this or in some other University, as above defined, before he can be admitted to another examination.

SECT. X. Should he be approved of, he will be allowed, but not required, to print his Thesis ; and if printed, forty

copies of it must be delivered before the 25th day of July to the Dean of the Medical Faculty.

SECT. XI. If the Candidate have satisfied the Medical Faculty, the Dean shall lay the proceedings before the Senatus Academicus, by whose authority the Candidate shall be summoned, on the 31st of July, to defend his Thesis ; and, finally, if the Senate think fit, he shall be admitted, on the first lawful day of August, to the Degree of Doctor.

SECT. XII. The Senatus Academicus, on the day here appointed, shall assemble at Ten o'clock A. M., for the purpose of conferring the Degree ; and no Candidate, unless a sufficient reason be assigned, shall absent himself, on pain of being refused his Degree for that year.

SECT. XIII. Candidates for Graduation shall be required to produce evidence of their having conformed to those Regulations which were in force at the time they commenced their Medical Studies in a University.*

JAMES SYME,

*Professor of Clinical Surgery,
Dean of the Faculty of Medicine.*

W. HAMILTON,

Secretary to the Senatus Academicus.

* Candidates who commenced their University studies before 1825, will be exempted from the fourth year of attendance (Sect. I.), from the additional Hospital attendance (Sect. II. Art. 3.), from the necessity of a year's study in Edinburgh (Sect. IV.), and from any attendance on

CLINICAL SURGERY,	PRACTICAL ANATOMY,
MEDICAL JURISPRUDENCE,	PATHOLOGY, and
NATURAL HISTORY,	SURGERY distinct from Anatomy.
MILITARY SURGERY,	

Those who commenced between 1825 and 1831, will be exempted from attendance on General Pathology, and also on Surgery distinct from Anatomy.

Those who commenced between 1825 and 1833, will be required to attend only two of the following Classes, viz.

CLINICAL SURGERY,	MILITARY SURGERY,
MEDICAL JURISPRUDENCE,	PRACTICAL ANATOMY.
NATURAL HISTORY,	

And those who commenced before 1833, will be exempted from the attendance specified in Sect. II., Arts. 4. and 5.

N. B. The attendance on Midwifery in a University (Sect. II., Art. I.) is required of all Candidates.

V.—*Memorial for the Royal College of Surgeons.*

Surgeons' Hall, Edinburgh,
10th December 1839.

THE Royal College of Surgeons has heard rumours of certain changes on the Statuta Solennia for the Medical Degree of the University of Edinburgh, being at present under the consideration of the Senatus Academicus, the import of which is reported to be, 1st, That it shall be optional to intending candidates for that degree to continue (as is at present required,) to attend all the courses prescribed by the Curriculum under University Professors, or to attend a portion of these courses under certain extra-academical teachers. 2nd, That the only extra-academical teachers whom the Senatus intends to recognise for this purpose, are those of the Schools connected with the London Hospitals, and those of the School of the College of Surgeons of Dublin, so that no extra-academical instruction received in Edinburgh shall be of any avail.

The College, being satisfied that such a preference of the extra-academical Teachers of London and Dublin over those of Edinburgh, would be extremely injurious to the reputation and interests of the Medical School of this city, conceives it to be most consistent with that friendly disposition which it has at all times entertained towards the University, to lay before the Senatus the considerations which lead it to think that the alterations referred to ought not to be confirmed or promulgated, in what is believed to be their present shape.

The College has long been of opinion, that the regulations of the University, in so far as they require that the *whole* of the courses of lectures prescribed by the curriculum for its Medical Degree must be attended within the walls of a University, besides being oppressive in their operation upon Students, have been injurious as regards the interests of the public, and prejudicial even as regards those of the University itself. The College does not deny that the regulations of the University should secure to its Professors a certain amount of preference or privilege. But, in considering the various contin-

gencies from which it may arise, that some of the Medical chairs in the University may be filled by inefficient teachers ; and considering, also, how important it is that Professors, as well as every other class of men in the service of the public, should experience the stimulus of competition, the College has felt assured that the efficiency of the Medical School of Edinburgh, generally, would be increased, and that the interest of candidates for the University's degree would be promoted, by the University allowing to these candidates permission to attend a certain number of courses under extra-academical teachers. Accordingly, upon a recent occasion, the College readily gave its concurrence to the following opinions expressed by the Fellows of its own body, and of the sister College of Physicians, who constituted, along with some of the Medical and Surgical Professors of the University, a joint Committee for arranging propositions relative to the education and privileges of practitioners in the several branches of medicine, &c., viz. :—

“ That while it is reasonable and proper that the greater part of the course of study required of candidates for the highest honours of the Medical profession, which are allowed to be granted exclusively by Universities, should be taken under Professors ; it would be an advantage to the interests of the public, of the profession, and of the Universities themselves, (by the encouragement thereby given to useful Schools of Medicine, whether at the seat of Universities, or in other favourable situations,) that a portion of the study should be allowed to be prosecuted under extra-academical teachers.

“ That it is fair and reasonable that at least *one third part* of the whole Medical classes required to be attended by candidates for University Degrees, including reduplication of attendance, should be allowed to be taken under extra-academical teachers, *the classes to be selected by the students.*”

Entertaining these sentiments, it is very agreeable to the College to understand, that a majority of the Medical Faculty, and of the Senatus, has become satisfied of the inexpediency of longer maintaining the exclusive system upon which the University has hitherto acted, and in respect of its Medical curriculum, has resolved to recognise attendance on extra-academical teachers for a portion of the courses enjoined by that curri-

culum ; those who avail themselves of this privilege, being subjected to a somewhat longer period of study ; a provision, the propriety of which (it may be remarked in passing) does not appear obvious to the College. It is, however, with much surprise and regret, that the College finds a belief to prevail, as already stated, that this recognition of extra-academical instruction is intended to be confined to the Hospital Schools of London, and the School of the College of Surgeons of Dublin ; while attendance on courses of lectures delivered in Edinburgh by Fellows of the Royal Colleges of Physicians and Surgeons is to continue, as hitherto, of no account as regards the curriculum of the University. Against such an arrangement, the College begs leave very respectfully but firmly to remonstrate, as unfair to those candidates for the University's degree, who may wish to prosecute their studies in this School, unjust to the extra-academical teachers, derogatory to the character of the Medical School of Edinburgh, and injurious to the well understood interests of the University.

The unfairness of the proposed regulations as regards students who may wish to complete their course of study in Edinburgh, is strikingly apparent. Even by submitting to an additional year of study, they cannot obtain the privilege of making a choice between two or more teachers of the same branch, which is allowed, on such terms, to those who take a portion of their medical education in London or Dublin. As regards the extra-academical teachers of Edinburgh, the Senatus must not imagine that their proposed regulations inflict no injury on these gentlemen, simply because they do not deprive them of any privilege they have hitherto enjoyed. This is obviously a case in which the conferring privilege on others, may prove as detrimental to a third party as the taking privilege from itself. The Colleges of Physicians and Surgeons of Edinburgh asked no preference for those of their Fellows engaged in teaching, over the teachers of London and Dublin, while all were equally excluded from recognition by the University. But the idea certainly never entered into their imaginations, that when the University should become sensible of the expediency of abandoning their exclusive system, they would refuse to their own fellow-citizens the privileges which

they judged it advisable to confer upon strangers ; that they would think it fair or wise to send it forth to the world, that in their estimation, the education of candidates for their degree, may in part be safely entrusted to the extra-academical teachers of London and Dublin, but that in those of Edinburgh no such confidence can be reposed.

Whatever opinion the Senatus may be disposed to entertain on this subject, to the College it certainly appears, that the character of the Edinburgh School of Medicine has, for a long series of years, depended, not exclusively on the fame of the Professors of the University, but in a great degree also, on the abilities and reputation of the extra-academical teachers. In considering that the two portions of the Edinburgh School of Medicine have in some sort enjoyed a community of reputation, so also the College has conceived that they were bound together by a community of interests ; and that whatever might operate prejudicially on the one, must sooner or later do injury to the other. The College cannot, therefore, but believe, that the injurious consequences arising from a distinction of so invidious a character as that to which it has referred, will not be limited to that portion of the Medical School of Edinburgh on which they may seem more directly to fall, but will prove more or less detrimental to the interests of the University, and of its Medical Professors.

The College cannot doubt, that any one intending to graduate at this University, who shall compare the respective advantages of taking the whole of his Medical education in Edinburgh, or of taking a portion of it in London or Dublin, will be considerably influenced in the decision at which he arrives, by the circumstance, that provided he pass three or four winters at one or other of the two last Schools, he is allowed a considerable choice of teachers, whilst, if he studies at Edinburgh exclusively, all such choice is denied him ; that this regulation will operate, in fact, as a bounty on the Schools of London and Dublin at the expence of that of Edinburgh. It is obvious, that if there should happen at any time to be in the University of Edinburgh, one or two inefficient Professors, candidates for the Medical Degree, if allowed to attend, under extra-academical teachers in this city, courses on

the branches taught by these Professors, would very probably attend the other prescribed courses under Professors in the University, without making any farther use of the power of selection allowed them. But by the proposed regulations, it will be necessary that students, in order to obtain such a power of selection, should repair to London or Dublin, where it is not to be expected that they will limit their attendance exclusively to those courses which they may wish to avoid attending in the University of Edinburgh. In this way, the efficient Professors of this University would suffer equally with the inefficient.

Nor is it altogether undeserving of the consideration of the Senatus, that of those who take the Diploma of this College, the proportion, who at the same time take the University degree, amounts only to about one half. The College cannot but believe that this proportion would be considerably increased, were courses attended without the walls of the University admitted in part of those required for graduation.

The only reason which the College has heard assigned for the preference (rumoured to be contemplated by the Senatus Academicus, in their proposed regulations,) of the Teachers connected with the London Hospitals, and with the School of the College of Surgeons of Dublin, over those of the extra-academical School of Edinburgh, is, that in the Edinburgh School, the Lecturers are not selected by any competent tribunal for their fitness to perform the duties of Teachers. The College is not aware of any security in this respect being afforded by the constitution of the Schools connected with the London Hospitals. As regards the School of the College of Surgeons of Dublin, the College thinks it right to state, that although it has been frequently urged to follow the example of the Dublin College, by instituting a School under its own special patronage, it has hitherto abstained from doing so, out of an anxious desire to take no step that could have the appearance of placing it in hostility to the University. In the same spirit, the College has, in consequence of the recent institution of a Chair of Surgery in the University, resolved not to continue beyond the tenure of the present incumbent, the professorship of that branch which it instituted about 35 years

ago, with a view to secure the full and efficient teaching in Edinburgh, of that important department of instruction. The College will think it hard, if its delicacy towards the University in this respect, should be made the ground of refusing to the Fellows of its body, and of the College of Physicians, a privilege, which it is proposed to confer upon the School of the College of Surgeons of Dublin. Nor does the College feel the less sensibly the ungraciousness and injustice of such a preference, when it considers, that whilst the University has refused to recognise courses of Lectures, delivered by Fellows of its body, as qualifying for Medical Graduation, the College has not hitherto ceased to receive the tickets of the University Professors, as qualifying for examination for its diploma, though this step was taken several years ago by the Royal College of Surgeons of Dublin, after having made an unsuccessful effort to procure from the Edinburgh University, recognition of the Teachers of *its* School,—that School, in favour of which the Senatus are understood to be framing their proposed regulations. On this head, the College will only farther observe, that the propositions already referred to, as having been agreed on by the Medical and Surgical Professors of the University and Colleges of Physicians and Surgeons, of which a copy accompanies this representation, contain sufficient evidence of the willingness, both of this College and of the College of Physicians, to agree to regulations for more effectually securing the qualifications of teachers.—*See Propositions 19, 20, 21, and 22.*

A refusal on the part of the Senatus, to place the courses of Lectures, delivered by Fellows of the Colleges of Physicians and Surgeons of Edinburgh, on the same footing as they propose to do those delivered in the Hospital Schools of London, and the School of the College of Surgeons of Dublin, if persevered in, must appear the more ungracious and capricious, when it is considered, that though attendance on these courses has not yet been recognised by the University of Edinburgh, it has been so recognised by the Universities of Oxford and Cambridge, the newly constituted University of London, and the University of St Andrews; by the Colleges of Surgeons of London and Dublin, by the Faculty of Physicians

and Surgeons of Glasgow, and by the Apothecaries' Company of London, as well as by the Boards presiding over the Medical Departments of the different branches of the Public Service, the Army, the Navy, and the East India Company. It is highly satisfactory to the College to believe, that in extending recognition to the extra-academical teachers of Edinburgh, the Senatus would be following out the views entertained on this subject by a majority of their Medical Faculty.

In conclusion, the College ventures to believe, that a little reflection will satisfy the Senatus of the inexpediency, as well as injustice, of any regulation which withholds from the Fellows of the Colleges of Physicians and Surgeons of Edinburgh, connected with the extra-academical School, privileges fully equal to those which may be extended to the teachers of any other School; and that in adapting the Statuta Solennia to the exigencies in which they find themselves placed by the proceedings of other Universities, they will make the concessions which they find to be necessary, in a manner calculated to secure the approbation of the public, the gratitude of the students, and the respect of those, who, in being rivals, are not the less allies of the University.

VI.—*Communication from Royal College of Physicians,
17th December 1839.*

To the Very Reverend,
The Principal of the
University of Edinburgh.

Edinburgh,
17th December 1839.

REVEREND SIR,

A Communication has been transmitted to the Royal College of Physicians, by the Royal College of Surgeons of Edinburgh, informing the College, that the Senatus Academicus of the University is understood to be at present contemplating certain changes in the Statutes of the University, for regulating the Education of Candidates for the Medical Degree; by which changes the extra-academical Schools of the London Hospitals, and that of the Royal Col-

lege of Surgeons in Dublin, will be recognised as qualifying in part for Graduation, while the extra-academical School of Edinburgh will be excluded from such recognition.

The Royal College of Physicians are fully sensible, that great delicacy and reserve ought to be observed by them, in taking any steps which may be thought to interfere with the deliberations of another public Body ; and they have respectfully to assure the Senatus, that they are induced to do so on the present occasion with much reluctance. But in consideration of the concern which the Royal College has always felt in the prosperity of the Medical School of Edinburgh, as well as the extent to which the interests of the College, and of many of its Fellows, may be affected by the question, which, they are informed, is now under consideration by the Senatus, they trust they will be excused in expressing an anxious desire to be allowed an opportunity of stating their sentiments upon the subject, before the Senatus shall resolve to come to a final decision, and to promulgate its Regulations. With that view, I am instructed by the College, very respectfully to request that the Senatus will be pleased to communicate to the College, authentic information as to the nature of the Resolutions, which it is reported that the Senatus propose to adopt.

I have the honour to be,

Your most obedient servant,

R. CHRISTISON, *President.*

VII.—*EXCERPT from Minutes of an Extraordinary Meeting of the Royal College of Physicians, held 26th December 1839.*

The following Resolutions were agreed to by the College :—

1st, That the Royal College has received a communication from the Royal College of Surgeons, Edinburgh ; that it has deliberated thereon ; that it coincides generally in the views taken by the Royal College of Surgeons, in approval of the recognition by the University, of Extra-Academical Lecturers, as qualifying in part for examination for the Degree of Doctor

of Medicine, formerly recommended by a Conjoint Committee of Professors, Physicians, and Surgeons, regretting, at the same time, that the extended recognition of privileges, believed to be agreed to by the Senatus Academicus, has not included the private Lecturers of Edinburgh who are Fellows of either College, when granted to Medical Institutions in London and Dublin, with no higher claims to such prudent concession or liberality than the Extra-Academical Medical School of Edinburgh.

2d, That the Royal College of Physicians of Edinburgh thinks itself called upon, (if not strictly entitled,) to offer an opinion on the present occasion, as being a Body which has always taken much concern in Medical Education, and which has many Fellows who are Extra-Academical Teachers, whose interests and respectability will be affected by the partial Resolution of the Senatus Academicus, against which it now remonstrates, and by which the Medical School of Edinburgh, and the prosperity of the Scotch Metropolis, will ultimately suffer.

It was resolved that a copy of these Resolutions should be transmitted to the Senatus Academicus.

Extracted from the Minutes of the Royal College of Physicians, by

KENNETH MACKENZIE, *Clerk.*

Physicians' Hall, 29th Dec. 1839.

REV. SIR,

I have the honour to transmit for the consideration of the Senatus, the accompanying Extract from the Minutes of a Meeting of the College of Physicians, held here on the 26th instant, relative to the Regulations of the Senatus for Candidates for the Medical Degree.

I am,

Your most obedient servant,

R. CHRISTISON, *President.*

To the Very Rev. The Principal of
the University of Edinburgh.

VIII.—*PROPOSITIONS relative to the Education and Privileges of Practitioners in the several Branches of Medicine ; and of Chemists and Druggists : agreed on by the Medical and Surgical Professors in the University, the Royal College of Physicians, and the Royal College of Surgeons of Edinburgh. March 1839.*

SECTION I.—OF PRACTITIONERS.

1. That the Legislature ought to fix a MINIMUM Course of *Education*, without certificates of having accomplished which, no one should be admissible to examination for a License to practise any of the branches of Medicine.

2. That without such a License, no one should be eligible to hold a Medical or Surgical appointment in any Public Institution.

3. That no person ought to obtain a License entitling him to act as a General Medical Practitioner, who has not received a competent education in Literature and Science ; studied in a recognised School of Medicine or Surgery ; and undergone examination before a competent Board or Boards, on all the branches of Medical Education mentioned in the curriculum hereinafter specified.

4. That the Degrees or Licenses granted by all public institutions which have heretofore been engaged in regulating the education, and ascertaining the qualifications, of those intended for the Medical profession, (or by such new Boards as it may be found expedient to establish for the same purposes,) should confer the right of acting as General Medical Practitioners, and of dispensing Medicines in all parts of the British dominions : Provided, 1st, The Course of Education required by these Institutions or Boards be not in any case less, and in the cases hereinafter provided be superior, in extent and duration, to that which shall be determined on as necessary for obtaining a License ; and, 2d, that the examining Boards of these Institutions be so constituted, as to afford a sufficient security that the Members of whom they are composed possess the qualifica-

tions necessary to fit them for ascertaining, by examination, the proficiency of Candidates.

5. That the TIME to be occupied in the Minimum Course of Education above mentioned, at a University or recognised School, should not be less than twenty-seven months, in which should be included three Winter Sessions of six months' duration each ; and that the Minimum AGE of the Candidate for a Diploma or License may be advantageously fixed at *Twenty-one*.

6. That the CLASSES required to be attended, and the HOSPITAL or DISPENSARY attendance prescribed, in this minimum Course of Medical Study, should be, as nearly as possible, of the same kind, and to the same amount, as are mentioned in the following curriculum.

Proposed Minimum Curriculum of Study for the License of General Medical Practitioners.

CLASSES.						Number of Courses.	Duration at least.
ANATOMY	-	-	-	-	-	Two Courses	Six Months each.
PRACTICAL ANATOMY	-	-	-	-	-		Twelve Months.
CHEMISTRY	-	-	-	-	-	One Course	Six Months.
PRACTICAL MEDICAL CHEMISTRY	-	-	-	-	-	Do.	Three Months.
MATERIA MEDICA	-	-	-	-	-	Do.	Six Months.
INSTITUTIONS OF MEDICINE OR PHYSIOLOGY	-	-	-	-	-	Do.	Do.
PRACTICE OF MEDICINE	-	-	-	-	-	Two Courses*	Do.
CLINICAL MEDICINE	-	-	-	-	-	One Course	Do.
						or Two Courses	Three Months each.
During the period of Attendance at the Hospital in connection with which the Lectures are delivered.							
PRINCIPLES AND PRACTICE OF SURGERY	-	-	-	-	-	Two Courses*	Six Months each.
CLINICAL SURGERY	-	-	-	-	-	One Course	Six Months.
						or Two Courses	Three Months each.
During the period of Attendance at the Hospital in connection with which the Lectures are delivered.							
MIDWIFERY AND DISEASES OF WOMEN AND CHILDREN	-	-	-	-	-	One Course	Three Months.
PRACTICAL MIDWIFERY	-	-	-	-	-	Do.	Do.
MEDICAL JURISPRUDENCE AND POLICE	-	-	-	-	-	Do.	Do.

HOSPITAL ATTENDANCE.

Twenty-one months attendance at a Public General Hospital, containing at least eighty beds ; or eighteen months at such a Public General Hospital, and six months at a Medical or Surgical Hospital, either of these in addition to the opportunities of Practical instruction specified in proposition 7.

N.B.—It is considered highly desirable that Candidates for the License of General Practitioner should avail themselves of the op-

* It should be in the option of Candidates for Licenses, instead of a second course of Practice of Physic, to attend a course of General Pathology, or an additional course of Clinical Medicine ; and instead of a second course of Principles and Practice of Surgery, to attend a course of Military Surgery, or an additional course of Clinical Surgery.

portunities which they may possess of attending Lectures on Botany, Natural History, Comparative Anatomy, and Pathological or Morbid Anatomy, in addition to the Courses of Lectures absolutely required.

7. That APPRENTICESHIP should not necessarily form a part of this education ; but that those who have not been Apprentices, should be required to bring proof of having acquired a knowledge of PRACTICAL PHARMACY in a Laboratory or an Apothecary's shop ; and of having had opportunities of witnessing the Treatment of Diseases, for a period of not less than six months, as pupils to Practitioners in Dispensaries, or in Public Hospitals receiving Out-patients, or as pupils to regularly licensed private Practitioners.

8. That evidence should likewise be required from Candidates for Licenses, who have not previously obtained the degree of A. B. or A. M., of their possessing an adequate acquaintance with LATIN, and of their having received instruction in the ELEMENTS OF MATHEMATICS, AND IN NATURAL PHILOSOPHY ; and that it is highly desirable these branches should be studied previously to commencing the professional education.

9. That strict Sessional Examinations should be enforced on all Students following their Course of Study in Universities or Schools of Medicine in Great Britain or Ireland, at the close of each Winter and Summer Course ; and that a record should be kept of the result of the Examinations ; to be produced at the final Examinations for Degrees and Licenses.

10. That the final examination for the License to Practise, should be divided into at least two parts, to be held on different days ; and that, *in Edinburgh*, these examinations may be advantageously conducted by a joint Board of Fellows of the Royal Colleges of Physicians and Surgeons.

11. That no person ought to obtain a License to act as a Surgeon, who has not gone through a Course of Education at least equal in duration and extent to that laid down in the minimum schedule of Education above stated, and undergone examination before a competent Board.

12. That all persons having obtained a License to practise Surgery, in conformity with the above conditions, should be

entitled to act as General Medical Practitioners, and to dispense Medicines in all parts of the British dominions; provided they shall have been examined, by a competent Board or Boards, on all the Branches of Education specified in the curriculum above stated.

13. That the Course of Study and the Examinations for any degree in Medicine granted by a University, ought to comprehend all the Branches of Knowledge stated above, and to imply a more extended education than is prescribed for the General Medical Practitioner.

14. That, on the other hand, the Education for a University Medical Degree, should not be raised so high, by Legislative enactment, above what is required of the General Practitioner, as to limit, injuriously for the Public, the number of those persons who, in order to obtain the honour, may be induced to take a fuller course than is necessary for a simple License.

15. That the time to be occupied in the Course of Education, required for any Medical Degree from a University, should not be less than thirty-three months, in which should be included four Winter Sessions of six months' duration each; and that the minimum age of the Candidate for such a degree may be advantageously fixed at *twenty-two*.

16. That the superiority of University Medical Degrees, should be further secured by the course of study required for it, embracing additional branches of science connected with Medicine, and by enjoining repeated attendance on the more important departments.

17.* That a certain portion of the Study qualifying for the honour of a Medical Degree, should be prosecuted in some University which grants that Degree, and that any such University ought to insist on attendance therein during a Winter Session, as preliminary and requisite to Examination.

18. That all persons having obtained a Medical Degree from a University, in conformity with the above conditions, should be entitled to act as General Medical Practitioners, and to dispense Medicines in all parts of the British dominions.

* *Vide Appendix.*

SECTION II.—OF TEACHERS.

19. That the Lectures of all Teachers should be recognised as qualifying for the License of General Practitioner, who are Professors in Universities, or Fellows of the Royal Colleges of Physicians or of Surgeons in England, Scotland, or Ireland, or of the Faculty of Physicians and Surgeons of Glasgow, and who shall have been specially recognised as Teachers by the Bodies to which they belong, after they shall have been satisfied, by examination or otherwise, of their being duly qualified to teach.

20. That all other Teachers, before their Lectures are admitted to the same privilege, should, besides being in possession of a Medical Degree from a University, or a Diploma or License from one of the Royal Colleges of Physicians or of Surgeons, or of the Faculty of Physicians and Surgeons of Glasgow, or other legally constituted licensing body, undergo an examination on the branch they propose to teach.

21. That this Examination might be conducted by a Board of four Examiners, not themselves Teachers, (two from the College of Physicians, and two from the College of Surgeons in London, Edinburgh, or Dublin; and in the case of Glasgow, four from the Faculty of Physicians and Surgeons,) assisted by three Assessors, Professors or Teachers of experience in the particular branch the Candidate intends to teach, but not having a voice in the Decision. In cases of an equality of votes of the Examiners, the Chairman to have a casting-vote.

22.* That the Examination should be held partly *viva voce*, and partly by written exercises or themes; and that, in both respects, it should be made as searching as possible.

23. That the Lectures of Teachers, not being Professors in Universities, but qualified as above stated, ought to be recognised in such Extra-academical Education as may be allowed to qualify for University Degrees.

24. That Professors and other recognised Teachers ought to give Courses on the respective subjects of their Lectures, of

* It is not intended by these Propositions to deprive any person of the vested right he may possess of teaching, and of having his lectures recognised, at the passing of any legislative enactment on this subject.

such extent and duration as may be deemed sufficient by the Legislature to embrace the full consideration of these subjects.

25. That the Lectures of no Professor or Lecturer who teaches within the same year more than one of the branches required, ought to be recognised; but that, in reference to this regulation, Anatomy *with* Practical Anatomy, and Chemistry *with* Practical Chemistry, might be considered as one Branch respectively; while Clinical Medicine and Clinical Surgery might be taught, in addition to any of the other Branches, by Professors, Physicians, and Surgeons, to whom is entrusted the charge of recognised Hospitals.

SECTION III.—OF CHEMISTS AND DRUGGISTS.

26. That provision should be made in regard to Chemists and Druggists, for their being found sufficiently qualified to compound, prepare, and dispense Medicines; and that no persons ought to obtain Licenses to act as such who have not, 1st, Attended at least one full Course of Lectures on each of the following subjects, viz. Chemistry, Botany, and Materia Medica, and a course of Practical Chemistry, by recognised Teachers; 2d, Been employed for three years in compounding and preparing Medicines under a Licensed General Practitioner, or Licensed Chemist and Druggist; and, 3d, Attained the age of *twenty-one years*.

27. That, previously to obtaining such Licenses, the Candidates should undergo an Examination, before a competent Board, on Chemistry, Botany, and Materia Medica, and as to their knowledge of the Latin language, and of the forms of prescription.

28. That those persons only who have gone through such Education and Examination, should be entitled to the name of Licensed or Approved Chemists and Druggists, or to such other designation as may imply their qualification; that the License granted to them should infer no right to exercise the duties of General Practitioner, but should entitle them to act as Chemists and Druggists in any part of the British dominions.

A P P E N D I X.

IN consequence of a difference of opinion existing between the Medical and Surgical Professors of the University, and the Fellows of the Royal Colleges of Physicians and of Surgeons, in regard to the extent of University monopoly or privilege which should be allowed in regulating the education of Candidates for Medical Degrees, and as to the power by which this matter should be determined, it has been considered advisable to subjoin the following statements as explanatory of the difference :—

STATEMENT by the Fellows of the Royal Colleges of Physicians and Surgeons.

They are unanimously and decidedly of opinion,—

1. That while it is reasonable and proper that the greater part of the course of study required of Candidates for the highest honours of the Medical Profession, which are allowed to be granted exclusively by Universities, should be taken under Professors, it would be of advantage to the interests of the Public, of the Profession, and of the Universities themselves (by the encouragement thereby given to useful Schools of Medicine, whether at the seat of Universities, or in other favourable situations), that a portion of the study should be allowed to be prosecuted under extra-academical teachers, appointed as laid down in Propositions 19, 20, 21.

2. That the minimum extent and duration of study required of Candidates for University degrees, the minimum age at which they should be granted, and the minimum proportion of extra-academical study which should be allowed to be taken, ought to be fixed and determined by the Legislature, in the same way as is proposed to be done in regard to the minimum Course of Study, the minimum age, &c. of licensed Practitioners ; and ought not to be left to be regulated at the direction of Universities either singly or collectively.

3. That it is fair and reasonable that at least *one-third part* of the whole Medical Classes required to be attended by Candidates for University degrees, including reduplication of attendance, should be allowed to be taken under extra-academical teachers, *the classes to be selected by the Students.*

STATEMENT by the Professors of the University.

They agree to much of what is here said, but decidedly dissent from the conclusion that Universities should be prohibited by law from making the regulation which has been in force in that of Edinburgh for seventy years, by which every Candidate for graduation is required to have studied *once* in some University, British or Foreign, empowered to grant Degrees in Medicine, every branch which is imposed on him by the curriculum. They do not wish to impose this law on other Universities, but only that the University of Edinburgh shall not be prohibited from maintaining it, so long as they shall judge it necessary in order to secure that the Professorships shall be an object of ambition to men of talent and of good prospects in the Profession. They think it obvious that a certain amount of privilege is essential, in the case of Universities destitute of endowment in this department, to make the office of Teacher an object of ambition to men of talent. They beg it may be observed, that the monopoly exercised by any University Teachers consists merely in compelling the attendance of Students on the Instructions of men who have been selected by authorities, recognised by the Government, on account of their knowledge of the subjects which they teach; and they think it unnecessary to guard against any undue stretch of this monopoly, in the case of a Degree which is in fact only an honorary distinction, conferring no exclusive right of practice, and which is equally granted by various Universities, openly competing with one another, and more than one of which is found, by experience, to be always ready to admit of a large proportion of extra-academical education in the qualification for its Degree.

If the Legislature think it necessary to define accurately the kind of study, within and without Universities, which ought to qualify for the Medical Degree, the Professors think that there is only a proper deference to the authority by which Universities are constituted, and a proper security to the public in allowing them to require, as the University of Edinburgh does, that the Candidate should study once every branch of study contained in the curriculum for the degree, under a teacher expressly appointed to teach it in some University, British or Foreign, which grants that degree; making it incumbent on them, at the same time, to require of him, either by the strictness of the examination to which he is subjected, or by express enactment, to study some of those branches more than once, and permitting all such repetition of study to be in extra-academical schools; a system

which has been found, by long experience, to combine the important advantages of securing such a remuneration to the Professorships as to make them objects of ambition to the leading members of the Profession, and of holding out such encouragement to self-appointed teachers, as to secure a constant succession of such teachers, in all the most important branches, to rival the usefulness, and stimulate the exertions, of the Professors.

IX.—*Proceedings of the Senatus Academicus of the University of Edinburgh, in regard to the proposed Changes on the Statuta Solennia for the Medical Degree.*

Senate Hall, 23d Nov. 1839.

The Resolutions by the Medical Faculty, founded on the Report of the 22d July 1839, were taken into consideration.

After some discussion, Mr Syme having moved that the Resolutions, Nos. 2, 3, 4, 5, 6, and 8, be adopted, Dr Hope moved as an amendment, “ That it is not at present expedient to extend the recognition of the Lectures of Non-Academic Institutions and Lecturers, as qualifying for the Medical Degree.” This amendment having been put to the vote, nine voted for, and nine against it, when the Preses gave his casting suffrage against the amendment.

The motion in favour of Nos. 2, 3, 4, 5, 6, and 8, was then put, when eight voted for, and ten against it.

Whereupon Dr Christison, Sir George Ballingall, Dr Traill, and Mr Syme, protested, for reasons to be given in ; and,

Dr Alison gave intimation that he would, at the next Meeting, move the adoption of the above six Resolutions, with certain modifications.

30th Nov. 1839.

The matter of the proposed changes in the curriculum for the Medical Degree, having been taken up, Dr Alison moved that the Statutes for the Medical Degree, be altered to the following effect :—

“ That there shall be in future two Classes of Candidates for Graduation.

“ I. Four years’ Students, qualified according to the rules now in force, who shall be required to have studied all the prescribed subjects in Universities, and to have spent one winter in Edinburgh.

“ II. Five years’ Students, who shall be allowed to make up their course of study as follows :—

“ 1. They must have two Winter Sessions, and have attended, at least, seven of the prescribed Classes in Universities already recognised, one of these Sessions in Edinburgh.

“ 2. They must have at least another Winter Session, and have attended three more of the prescribed Classes, either in some such University, or in one of the Schools attached to one of the great Hospitals in London, or in the School of which the Professors are appointed by the College of Surgeons in Dublin.

“ 3. They shall be at liberty to attend the remaining two Sessions, and to take the remaining four Classes, at any School which may be recognised, after special application, by this University.”

This motion having been seconded, Dr Hope moved, that the consideration of this matter be adjourned till this day twelvemonth.

The latter motion was then put ; the number for and against it were found equal, (viz. eleven,) and the Preses gave his casting vote as negative of it.

The former motion was then put, when seven voted for, and fifteen against it.

Dr Graham then moved, “ That there shall in future be two Classes of Candidates for the degree of M. D., viz.

“ 1. Four years’ Students, qualified according to the rule now in force.

“ 2. Five years’ Students, who shall be allowed to make up their course of study, as follows :—

(a.) They must have two Winter Sessions, and one Summer Session, and have attended, at least, seven of the prescribed Classes, in a University or Universities already recognised ; one of these Winter Sessions to have been in Edinburgh.

“(b.) They must have three other Winter Sessions, and attended the rest of the prescribed Classes, in some such University, or in one or more of the Schools attached to the following Hospitals in London, viz. Guy’s, St Thomas’, the London Hospital, St Bartholomew’s, Middlesex, Westminster, St George’s, or finally, under the Teachers appointed by the Royal College of Surgeons in Dublin.”

Which motion having been put, was carried by a majority of ten against a minority of nine.

7th December 1839.

It was moved by Dr Graham, “That it be remitted to the Medical Faculty, to revise the Statuta regarding the granting the Degree of M. D.; and to prepare a new edition, in accordance with the Resolution of the Senatus at last Meeting.”

Whereupon Dr Hope moved, “That the latter clause be left out, beginning with the words ‘and to prepare,’ &c.”

These counter motions having been put, nine voted for Dr Graham’s, and five for Dr Hope’s.

19th December 1839.

Draught of detailed Resolutions, in regard to the course and conditions of study for the Degree of M. D., read; ordered to be printed and distributed, (but exclusively,) to the several Professors; and a meeting on the first Saturday in January next appointed, in order to take them into final consideration.

Read communications from the Royal Colleges of Physicians and Surgeons, in regard to the measures understood by those Bodies to be contemplated by the Senatus, touching the recognition of certain extra-academical courses, to the exclusion of the Lecturers who are Members of these Incorporations; and the Chairman appointed to make the following common answer to these communications, viz.—That the Senatus have still under consideration, Proposals for a new edition of the Statuta Solennia; and do not think it proper to make known their proposals to the Royal Colleges, until the Statuta are finally adjusted.

4th January 1840.

The final consideration of the Statuta, relative to the Degree of M. D., was then taken up; and it having been moved and seconded, that in consequence of the absence of Sir C. Bell and Sir George Ballingall, the consideration of this matter should be delayed, and this motion having been met by a counter-motion, the latter was carried.

Dr Hope moved, that Section III. be omitted; and this motion having been seconded by Dr Monro, it was put to the vote, and carried by a majority of eleven to a minority of eight.

Dr Christison, in his name, and in behalf of those who might agree with him, protested against the above Resolution, for reasons to be subsequently given in.

Dr Christison then moved, that, as Section III. of the above scheme had been rejected, it is not expedient for the Senatus to come, at present, to any resolution in regard to the other articles. This motion having been seconded by Dr Alison, was agreed to.

18th January 1840.

The following reasons of dissent, were submitted by Dr Christison.

Reasons of Dissent from the Resolution of the Senatus, of the 4th instant, refusing the recommendation of the Medical Faculty,—That the Medical Lectures delivered at the great London Hospital Schools, and the School of the Royal College of Surgeons in Dublin, be recognised by this University, as in part qualifying for examination for its Medical Degree.

1. *Because*, while the superiority of a strict University Medical Education is in many respects undeniable, the Schools in question have attained such eminence, and are established on so stable a footing, as to enable this University to recognise them, to the extent and under the conditions recommended, without the risk of lessening the reputation of its Medical Degree.

2. *Because* the want of such recognition, together with the complete acknowledgment of these Schools by all other Public Bodies in the British Empire, which grant to any material amount, Medical Honours, or the right of Medical Practice, is one great cause of the disproportionate decrease that has taken place during the last eight years, in the number of Medical Students at the University of Edinburgh, compared with what has occurred during the same period in any other British Medical School.

3. *Because* the exclusive system hitherto pursued at this University, by which no Lectures are recognised, unless delivered in some University where Degrees are given, is almost universally and strongly reprobated by the Medical Profession throughout Britain, and especially by those who have made Medical Education a subject of careful study.

8th February 1840.

The consideration of Mr Syme's letter to the Lord Provost taken up. The letter read. Before any discussion took place thereon, Mr Syme rose and stated, that finding certain passages of the letter had been construed in the sense, that they bore reference to the actual state of the Medical Faculty of this University, and to certain individual Professors of that Faculty, he was most anxious to disclaim all such intention, and begged the Senatus to believe, upon his honour, that he meant only to canvass a system, and not to make allusion to persons. After some discussion, Mr Syme expressed his willingness to write an explanatory letter to the Lord Provost, to the same effect as the statement now made to the Senatus. This statement and proposal, the Senatus considered satisfactory. *

After considerable discussion, Mr Dunbar moved, "That in reference to the opinions stated in Professor Syme's letter, the College Committee cannot fail to be perfectly aware, that in addition to the general causes which have occasioned a de-

* In the letter of Mr Syme printed above, No. I. of these Papers, the passages objected to have been omitted, and those transmitted by him to the Lord Provost, in consequence of what passed at the Meeting of the Senatus, substituted.

crease in the number of Students attending the University, the diminution in the Medical department has arisen in a very great measure, from the foundation of a University in London, which confers Degrees, and the establishment of Medical Schools in the two Colleges of London, and in all the larger towns of England and Ireland.

“ The Senatus Academicus are of opinion, that the measures proposed by a majority of the Medical Faculty, and lately under their consideration, would not be beneficial to the University, and they are unwilling to take any steps touching upon its established usages, which may prove injurious to its welfare, and from which they could not recede at a future period, however much they might wish to do so.”

To this motion, Dr Alison moved the following amendment: “ That the Senatus return the following answer to the Patrons.

“ The subject of the University arrangements for the Medical Degree, is an extensive and complicated one, on which the Senatus trust that the Patrons will not act without due deliberation ; and they are willing to appoint a Committee to meet with the Committee of the Town Council, and furnish them with such explanations, and copies of such documents, as they may think necessary on this matter.”

On a vote, the amendment was carried by a majority of thirteen, to a minority of ten.

X.—*Memorial for the Extra-Academical Lecturers, relative to the present state of the Laws respecting the Education of Candidates for the Degree of M. D.*

17th February 1840.

THE Extra-Academical Lecturers of the Edinburgh School of Medicine, beg leave respectfully to call the attention of the Patrons of the University, to the present state of the laws respecting the education of Candidates for the Degree of Doctor in Medicine, to the consideration of which they have been

particularly directed at present, by the recent establishment of the University of London, and by the decrease, especially apparent this Winter Session, in the number of Medical Students in Edinburgh.

The Lecturers had already begun to take measures for submitting a statement on this subject to the Patrons, when they were informed, that a communication of a similar import had been made by a Member of the Senatus Academicus, arising from some recent proceedings in that Body. They have not had an opportunity of learning the precise nature of this communication ; but they have, by this occurrence, been further induced now to memorialize the Patrons, in the hopes of procuring at their hands a full inquiry into the actual state of the Edinburgh Medical School.

The points to which the Memorialists desire to direct the attention of the Patrons, are,

The decrease of Students in the Edinburgh Medical School.

The peculiarity of the University of Edinburgh, in respect to the exclusive character of its regulations for the education of Candidates for Degrees.

The injurious effects resulting from these regulations to the University and City of Edinburgh, to the interests of Medical Science, to the Students of Medicine, and to the Memorialists and other Extra-Academical Lecturers.

The Memorialists regret to find that the decrease of Students attending the Edinburgh Medical School generally, has been gradually becoming more apparent of late years. They learn from the registration books of the Royal College of Surgeons, that the numbers entered there during the last four *Winter Sessions*, are as follows.

1836-37. 541.	1837-38. 494.	1838-39. 487.	1839-40. 388.
------------------	------------------	------------------	------------------

The Lecturers are unable to state what the precise number, attending Medical Classes within the University, has been, during the same period. They are led to believe that a proportionate decrease has likewise been experienced there. The

above facts, however, are sufficient to shew, that the number of Students in Edinburgh has become lessened to a serious amount, there being a falling off of 100 this year, in the College of Surgeons' Registrations, notwithstanding a regulation which came into force only a twelvemonth since, that all Candidates for their Diploma, shall register University Classes, as well as those taken without its walls.

The Memorialists are led to believe, that a positive diminution in the number of Students, has likewise been experienced in other British Schools of Medicine, which they conceive to be attributable to the fact, that from the present overstocked state of the Profession, more young men are induced to apply themselves to other pursuits. They regret, however, to learn, that the proportionate decrease has been greater in Edinburgh than elsewhere ; and they conceive that the causes which have led to this result, deserve the serious attention of all who are interested in the welfare of the Edinburgh School of Medicine, and the prosperity of the City.

The Memorialists are induced to believe, that this is not attributable to any deterioration in the opportunities of instruction, which, as a Body, they themselves are enabled to offer ; on the contrary, they are of opinion, that the competition arising from their number, has tended to maintain the standard of Extra-Academical teaching in Edinburgh. They are led to the conclusion, that the causes of the special decline of the Edinburgh Medical School, must be sought for in the present system of the University itself, and that they are referable chiefly to the existence of those regulations, which prevent any Classes, except those of the University, from qualifying for obtaining Degrees in Medicine.

These restrictive Laws, which, in the opinion of the Memorialists, are illiberal in their spirit, as well as injurious in their operation, are in force solely in the Universities of Edinburgh and Dublin. The recently instituted University of London, the Universities of Glasgow, St Andrews, Aberdeen, Oxford, and Cambridge, the Colleges of Surgeons of London, Edinburgh, and Dublin, the Apothecaries' Companies of London and Dublin, and the Medical Boards of the public services, all recognise the Lectures of Extra-Academical Teach-

ers; and the Memorialists submit, that it is in the highest degree impolitic, that the University of Edinburgh, which ought to depend for success on the value of the teaching within its walls, should continue to rely in any degree on an exclusive system.

The Memorialists beg the Patrons to consider, that in any body of Teachers it may happen, and they contend that in the history of the University of Edinburgh it has happened, that the Lectures of individuals may be found, from various causes, to have become inefficient for the purposes of instruction. Being aware of the actual and inevitable occurrence of such an evil, they consider that any laws which render attendance on such classes compulsory, are in every respect injurious to the institution where they obtain, and they conceive that the interests of the University of Edinburgh, and through the University, the interests of the Edinburgh Medical School generally, suffer severely from such restrictions.

So long as the other Universities of this Country pursued a similar course of recognising only the Classes of Professors, no *special* injury was sustained by Edinburgh from this cause; but when extra-academical teaching was recognised elsewhere, and Edinburgh refused to adopt the system, then the injurious effects of these restrictive laws on the interests of this School, began to manifest themselves.

The Memorialists believe, that many of those who study Medicine are deterred from attaching themselves to the Edinburgh School, by the knowledge, that in order to obtain a Degree here, they will be compelled to take all the necessary Classes within the University, whether it is possible for them to procure any proper amount of instruction from them or not. They further beg to state, that since so many other Universities now exist, where the Candidates may select for themselves the best sources of professional information, many will, on that account, be prevented from joining the Edinburgh School of Medicine.

The great increase which of late years has occurred in the number of Graduations at Glasgow, may be adduced as a proof of the extent to which other Schools of Medicine attract Students from the University of Edinburgh. The Table, Appen-

dix, No. I., gives a comparative view of the Medical Graduation at Edinburgh and Glasgow, during a period of 12 years. The Memorialists point to the fact, that though Glasgow has greatly increased in the number of Graduates, Edinburgh has in this respect remained stationary. They perceive in this, an evidence that the assertions which have been broadly made in other quarters, as to the declining reputation of Edinburgh, are not entitled to the credence which it is to be feared has been given them; but this only makes the Memorialists more regret, that the success of the University should be in any respect interfered with by injudicious regulations.

At the same time they beg the Patrons to bear in mind, that the recommendations of the Army and Navy Boards, and many other circumstances, have conspired of late years to render the possession of a Degree, an object of much greater importance than formerly, so that Edinburgh, as well as Glasgow, under these circumstances, ought to have had an increase in the number of Graduates.

The Memorialists admit, that the lower and less expensive scale of qualifications demanded at Glasgow, must have had a principal share in producing this diversion in favour of the latter University; but they conclude that a review of the Table, Appendix, No. II., will shew that something more than pecuniary considerations must have contributed to produce this result. The Table alluded to shews the proportion of Students of Medicine from different countries, matriculated at the University of Edinburgh during three years preceding 1836-37, compared with the three years immediately following, with averages of the total attendance during these triennial periods, and the average declension per cent., on Students of different nations.

From this it appears that the greatest proportionate decrease has been upon Irish and English Students, and the least on those from Scotland. The Memorialists submit, that such a result could not have been produced by pecuniary considerations merely, which must have influenced Scotch Students equally with those from other parts of the kingdom; and they are at a loss to account for it, except on the belief, that it results from English and Irish Students, resorting for the pur-

poses of graduation to Glasgow and other Universities, because there they can avail themselves of extra-academical classes which are not recognised by the University of Edinburgh. The Memorialists may further mention, that it has been stated by a Lecturer in the Dublin College of Surgeons, that it was consistent with his personal knowledge, that these considerations do weigh with Irish Students in inducing them to select Glasgow as the place of their graduation in Medicine; in confirmation of which opinion the Patrons are referred to the Table, Appendix, No. III., which shows that the number of Irish graduates at Edinburgh has very much declined during the last 10 years. The Memorialists cannot state what the exact proportion of Irish graduates at Glasgow has been during the same period, but they are aware that in 1837, when there were only 21 Irish graduates at Edinburgh, there were no less than 46 at Glasgow.

The Memorialists beg the Patrons to consider, that it is not merely in respect to graduations that the University of Edinburgh thus suffers, but that, as all graduates, whether at Edinburgh or Glasgow, are required to study at least one year in the University where they propose taking a degree, a number of students is thus annually lost to those Professors, whose popularity and efficiency would, independently of all compulsory regulations, secure for them a large attendance of pupils.

It is further submitted to the consideration of the Patrons, that in all departments, but especially in teaching, any regulations which secure certain advantages to individuals, whether they discharge their duties efficiently or not, have a tendency to diminish their exertions in the public behalf, from the absence of the wholesome stimulus of competition. The Memorialists feel confident, that if some competition existed between the University and extra-academical teachers, not only the evils which result from the inefficient teaching of important branches would to a great extent be neutralized, but the temptations which are thus held out to improper candidates for such offices would be diminished, and such, if elected, would in some instances be compelled to resign their Chairs, and permit the introduction of more efficient occupants.

From these considerations, the Memorialists beg to express their conviction, that the restrictive regulations here complained of are injurious to the University and its Professors, have a tendency to diminish its value as a seminary of learning, and by preventing the accession of students from distant parts of the kingdom, have an unfavourable effect on the prosperity of the city, and of many of the inhabitants, whose subsistence very much depends upon students resorting hither for the purposes of education.

The Memorialists further beg to represent, that these restrictive regulations have a detrimental influence on Medical Science generally. For, if a candidate for a degree be compelled to take all his classes within a University, and if one or more of these should chance to be inefficiently taught, he must, on attaining his degree, go forth to the world very imperfectly educated, unfit to practise his profession with safety to the community, or to superintend the education of those committed to his charge.

The Memorialists, however, are aware that few of the Students of Medicine, who can afford the additional expense, are content with such a meagre amount of instruction. They believe that the general anxiety of those who aspire to a degree, is to have recourse to the best means of acquiring professional knowledge, and that they will, when they find a Professor inefficient as a teacher, voluntarily submit to the additional expense of attending an extra-academical lecturer on the same branch.

The loss of time which is sustained in giving a compulsory attendance on Courses of Lectures which may be inefficiently taught, is likewise to be regarded as a most serious evil, and has not unfrequently the effect of inducing habits of inattention, productive of the most baneful effects on the Students' advancement in professional knowledge.

The Memorialists therefore contend, that the regulations which prevent Students from availing themselves of any extra-academical sources of instruction, are oppressive to them, an injurious to their best interests.

Lastly, the Memorialists beg to represent that these laws

are illiberal to all who, like themselves, have undertaken the duties of public teaching without the walls of Universities.

They cannot but feel the inexpediency, not to say injustice, of withholding any legitimate source of encouragement, for competent individuals voluntarily to devote themselves to the labour of Lecturing, especially when the Science of Medicine may be thereby more completely taught, and the evils resulting from inefficient teaching in Universities to a considerable extent remedied.

They consider, moreover, that illiberality is manifested in an especial manner in their case, by their lectures being excluded from qualifying for examination in the University of their own city, when they are recognised by the other Universities and public Boards already enumerated in the present memorial. They confidently point to their recognition by these bodies, as evidence that their qualifications to teach Medicine are acknowledged by competent judges; and they cannot perceive any good reason why those same Lectures, which are thought sufficient to qualify before public Boards giving license to practise, and before Universities conferring the honorary distinction of Doctor in Medicine, should be unsuited for the latter purpose in the University of Edinburgh.

The Memorialists believe, however, that they can find better evidence than their mere recognition by public Boards of their competency to teach Medicine, in the success which has already attended their labours, notwithstanding the injurious restrictions now complained of.

The Table, Appendix, No. IV., indicates the number of Students who have attended lectures on the different branches of Medical Science in and out of the University, during the last four Winter Sessions. The data regarding the University have been derived from papers in the Record Office of the city; the numbers of the extra-academical teachers have been ascertained by schedules furnished by each, and attested by his signature. It may further be stated, that the roll-books from which these schedules are derived, are official documents subject to annual inspection by the President and Treasurer of the Royal College of Surgeons.

The Memorialists are unwilling that any unfair inferences,

even though favourable to their own views, should be drawn from these statements, and therefore they beg to state, — That the fees for attendance on their classes are smaller than those of the Professors in the University ; that the Royal College of Surgeons and other public Boards require reduplication of some classes, which is not the case with any part of the curriculum for graduation in the University ; and that the extra-academical lectures qualify equally with those of the University for examination before these bodies.

They beg it, however, to be observed, that, notwithstanding the greater cheapness of their lectures, there are classes in the University whose numbers throughout the whole series of years are pre-eminently large, and they point to this as a proof that justice to the student, and expediency on other grounds, might be consulted in recognising the lectures of extra-academical teachers, without endangering the interests of the University where the Professors are really zealous and efficient.

The same Table, however, likewise furnishes proofs that there are classes which, throughout a series of years, are much more numerous attended without than within the University ; and as the extra-academical teachers of this School have no privileges save in common with the University and other Medical Schools throughout the kingdom, they apprehend that the attendance on their classes can be owing solely to a conviction on the part of the students, and of those who direct their studies, that good professional instruction can be obtained without the walls of an University. The Lecturers farther appeal to this Table, as well as to the Profession, whether their instructions have not, in many instances, been justly sought for even in preference to those of individuals invested with Professorial dignities.

The Memorialists beg further to state, that though an estimate can be formed, from the registration books of the Royal College of Surgeons, to what extent their Lectures are attended by the Candidates for the Diploma of that Body, these documents cannot be taken as an exact measure of the whole numbers attending their Classes, for it is well known, that a considerable number of Students attend their Lectures, whose names do not appear either in the Album of the University, or

the books of the College of Surgeons, their object being to obtain the necessary qualifications for receiving Licenses or Degrees from other public bodies giving unlimited recognition to the Lectures of the Extra-Academical School of Edinburgh. The Memorialists therefore submit, that it is in the highest degree illiberal, if not unjust, to exclude from qualifying for University honours, those very lectures which thus attract Students from other parts of the kingdom to the School of Medicine of this City.

The Memorialists disclaim any intention of desiring that these restrictions should be removed from themselves only; they contend for the general principle of the recognition of extra-academical lecturers, in all the important Medical Schools of the Country; and in reference to the justice and expediency of this, they state with satisfaction, that an opinion to this effect has been expressed by the Royal Colleges of Physicians and Surgeons of Edinburgh, (though dissented from by the Medical Faculty of the University,) in reference to the qualifications and education of practitioners in the various departments of their art.

The Memorialists are unwilling to make any lengthened allusion to contemplated measures relative to this subject, the precise nature of which has not been made officially known to them; but they cannot, when addressing the Patrons, avoid adverting to a report which has reached them, that while it has been contemplated by the University to recognise, to a certain extent, the Lectures of extra-academical teachers, it has been thought proper that those who avail themselves of such classes, should be compelled to extend their term of study to one year longer than those, the whole of whose classes are taken within an University.

With any such invidious distinction, the Lecturers beg leave respectfully, but most decidedly, to express their very great dissatisfaction. They contend that extra-academical lecturers should be recognised, only on the presumption that they are fully qualified to teach the various branches of Medical Science; and they cannot see either justice or expediency in enforcing a longer period of study on those, whose opportu-

nities of receiving instruction have been extended, and, as the Lecturers believe, in some cases improved.

The Lecturers have to express to the Patrons, their regret for the length of this Memorial; but they consider that they have a sufficient apology in the importance of the subject.

They conclude, by respectfully requesting the Patrons to take into consideration, at their earliest convenience, the causes which affect the interests of the Edinburgh Medical School; and they further beg to express their readiness to furnish such information as it may be in their power to afford, for elucidating the prosecution of this important inquiry.

R. KNOX, M.D.

DAVID CRAIGIE, M.D., F.R.C.Phys.

ALEX. J. LIZARS, M.D., F.R.C.S.

ROBERT SPITTAL, M.D., F.R.C.P.

ANDREW DOUGLAS MACLAGAN, M.D., F.R.C.S.E.

AW. FYFE, M.D., F.R.S.E., F.R.C.S.E.

WM. FERGUSSON, F.R.S.E., F.R.C.S.E.

WM. CAMPBELL, M.D. Ed., F.R.C.S. Ed. F.R. Med. Chir. Soc. Lond., Hon. Memb. Med. and Nat. Hist. Soc. Heidelberg, and of the Obstet. Soc. Manchester, late Surgeon R.N., Lecturer on Midwifery, &c. &c.

WILL. HENDERSON, M.D., F.R.C.Ph., Lecturer on Pathology and Practice of Medicine.

JOHN REID, M.D., F.R.C.P.E., and Lecturer on the Institutes of Medicine.

WILLIAM SELLER, M.D., F.R.C.P., Lecturer on Materia Medica.

DAVID SKAE, F.R.C.S.E., and Lecturer on Forensic Medicine.

JAMES MARR, M.D., F.R.C.P.E., Lecturer on Midwifery, &c.

JOHN LIZARS, Professor to the Royal College of Surgeons of Edinburgh.

J. A. ROBERTSON, M.D., F.R.S.E., F.R.C.S., and Lecturer on Surgery.

I was prevented from being present at the Meeting of Lecturers, at which the foregoing Memorial was agreed to, but I concur in the belief of the accuracy of the statements, and the soundness of most of the inferences contained in it.

P. D. HANDYSIDE, M.D., F.R.S.E.

Lecturer on Anatomy and Physiology.

APPENDIX.

No. I.*

No. III.

Comparative Number of Graduations at Edinburgh and Glasgow during 13 Years.

	Edinburgh.	Glasgow.
1827,	160	18
1828,	93	41
1829,	99	33
1830,	107	33
1831,	120	29
1832,	112	48
1833,	110	59
1834,	110	78
1835,	117	79
1836,	123	101
1837,	105	79
1838,	98	104
1839,	119	120

Proportion of Irish Graduates at Edinburgh during the last 11 Years.

	Total.	Irish.
1829,	99	32
1830,	107	39
1831,	120	36
1832,	112	53
1833,	110	30
1834,	110	23
1835,	117	30
1836,	126	27
1837,	105	21
1838,	98	19
1839,	119	19

* No. II. will be found on the next page.

No. II.—*University of Edinburgh.*

Average Attendance of Medical Students of different Countries during Six Years.

Country of Students.	Total Attendance.			Average of the 3 years.	Total Attendance.			Average of the 3 years.	Total Average of Decrease.	Average of Decrease per cent.
	1832-33.	1833-34.	1835-36.		1836-37.	1837-38.	1838-39.			
Scotland, ~~~~~	422	343	324	363	303	292	260	285	58	15.9
England, ~~~~~	204	195	203	200.6	171	159	161	163.6	37	18.5
Ireland, ~~~~~	78	56	63	65.6	46	49	53	49.3	16.3	24.8
Colonies and Foreign, ~	70	71	88	76.3	80	76	82	79.3	3 increase	3.7 increase
Uncertain, ~~~~~	11	1	2	...	2	3	1
	785	666	680		602	579	537			

NOTE.—These data refer to the whole Matriculations. The numbers for 1834-35 could not be obtained, from the accidental misplacement of the paper containing the returns for that year.

No. IV.

Comparative Attendance on Lectures, in and out of the University, at Edinburgh, during the last four Winter Sessions.

	1836-37.		1837-38.		1838-39.		1839-40.	
	Univ.	Extra	Univ.	Extra	Univ.	Extra	Univ.	Extra
Anatomy,.....	139	465	131	458	129	397	...	324
Chemistry,.....	182	165	163	147	165	143	...	143
Materia Medica,.....	175	58	161	38	161	44	...	36
Theory of Physic,.....	176	58	176	40	140	38	...	31
Practice of Physic,.....	112	168	131	129	110	136	...	173
Surgery,.....	235	203	158	207	134	205	...	198
Midwifery,.....	122	113	147	75	...	141	...	94
Clinical Medicine,.....	122	58	109	...	121	56	...	32
Clinical Surgery,.....	90	59	90	48	104	25	...	20
Medical Jurisprudence,.....	40	6	43	16	41	13	...	18
Practical Anatomy,.....	146	443	...	388	125	350	...	294
Practical Chemistry,	88	...	76	...	68	...	67

Spring Courses
cluded. One L
turer has made
return of his n
bers. In 1839-40,
Spring Courses
not given.

Spring Courses
cluded. In 1836-
the numbers
those of one Spr
Course only.
1839-40, the Spr
Courses are
given.

NOTE.—The numbers for the University this year have not yet been placed in the Record Office. The annual returns appear to be generally made in February, so will probably be in the hands of the Patrons in a few days.

XI.—*LETTER from the President of the Royal College of Surgeons.*

MY LORD AND GENTLEMEN,

I have the honour of forwarding to you, by desire of the Royal College of Surgeons, a Memorial on the subject of the regulations of the University of Edinburgh, in regard to the education of candidates for the degree of Doctor of Medicine, addressed to you, as Patrons and Guardians of that Institution, by the extra-academical teachers of Medicine of Edinburgh; men who are all Fellows of the Royal Colleges of Physicians or of Surgeons, and in consequence of their status in these bodies, are recognized as qualified teachers, by the Universities of Oxford and Cambridge, by the lately instituted University of London, by the Universities of St Andrews and Aberdeen, by the Royal Colleges of Surgeons of London, Dublin, and Edinburgh; by the Faculty of Physicians and Surgeons of Glasgow, by the Medical Boards of the Army, Navy, and East India Company; and by the Apothecaries' Companies of London and Dublin.

I am desired at the same time to inform you, that the College of Surgeons has long been of opinion, that the regulations of the University of Edinburgh, in so far as they require that the *whole of the courses* of lectures prescribed by the *curriculum* for the Medical Degree, must be attended within the walls of a University, besides being oppressive in their operation upon students, have been injurious as regards the interests of the public, and prejudicial even as regards those of the University itself; and these injurious effects, which have been more strongly felt of late years, are likely, in the opinion of the College, to encrease, in consequence of the London University having adopted a different principle, and of some of the other Universities, which formerly followed the same system with the University of Edinburgh, having found it expedient to alter their regulations, so as to give recognition to a certain extent to extra-academical teaching; leaving the University of Edinburgh entirely alone, or nearly so, to follow its exclusive system.

Entertaining these opinions, the College learnt with much pleasure and satisfaction, that, at the suggestion of the Medical Faculty, the *Senatus Academicus* had resolved to recognize a certain extent of extra-academical study, as a qualification for candidates being taken on trials for the Medical Degree. It was with the utmost surprise and regret, however, it was afterwards informed, that while recognition was to be given to the lectures of considerably above one hundred teachers in London and Dublin, it was to be denied to every extra-academical teacher in Edinburgh.

Against this decision the College remonstrated in a Memorial addressed to the *Senatus Academicus*, of which I have the honour of sending a copy, as “being illiberal and unjust to extra-academical teachers, derogatory to the character of the Medical School of Edinburgh, as well as injurious to the well understood interests of the University.”

The College regrets to find that the Professors, on reconsidering the subject in connection with the Memorial of the College of Surgeons, instead of extending (as was confidently expected would have been the case) the recognition which they had resolved to grant, have rescinded their former decision, and have returned to their strictly exclusive system.

The College having heard, with pleasure, that this important subject has been brought under the notice of the Patrons of the University by one of the Professors, feels called upon to forward to them the accompanying documents, with a most respectful but earnest request, that the matter may be thoroughly investigated, in the confident belief, that when they shall have found it to be the opinion of the Medical and Surgical Professors of Edinburgh, (as stated in the joint resolutions in regard to the education of Medical Practitioners of that body, and of the Colleges of Physicians and Surgeons,) of the Fellows of the Colleges of Physicians and Surgeons, and of Medical men in general, that the system of the University is not well suited to present circumstances of Medical education as connected with other Universities, they will, in the exercise of the full power they have of doing so, direct such alterations to be made on the Regulations, as will secure the approbation of the public, the gratitude of the students,

the respect of those who, in being rivals, are not the less the allies of the Professors, while at the same time they tend to promote the interest of all those bodies, which fortunately in this instance are identical.

I have the honour to be,

MY LORD AND GENTLEMEN,

Your most obedient Servant,

ADAM HUNTER, *President.*

Surgeons' Hall, Edinburgh,
21st February 1840.

XII.—*Extract Minute of the Senatus Academicus,*
20th April 1840.

REPORT of the Committee on the Medical Curriculum given in. This Report read, allowed to be transmitted to the Town Council, as embodying the opinions of certain Members of the Senatus, and ordered to be engrossed in the Minutes.

“ The Committee appointed by the Senatus Academicus, to state the opinions of that portion of the body adverse to the proposed admission of Extra-academical instruction for the Degree of M. D., beg leave to report as follows:—

“ In considering the question which has been repeatedly agitated in the Senatus Academicus, whether it would be right and expedient in the University, in present circumstances, to admit of Extra-academical instruction for the Degree of M.D., it seems to be necessary to examine in the first place, the rights and privileges of Colleges and Universities. These were instituted either by the Crown, or by pious individuals, for the encouragement of literature and science, and obtained the sanction of the Legislature to their constitution and government, and to the enjoyment of certain rights and privileges. One of them *was the power of conferring Degrees in Arts, Divinity, Law, and Medicine*, upon such students as had completed the prescribed course of study in each of the Faculties, and were found, upon examination, duly qualified. The patronage was vested either in the Crown or in Corporations,

or in the representatives of certain individuals, who had instituted and endowed Chairs in these Universities ; and certain rights and privileges were granted by the respective Patrons to the Professors who held them.

“ It would appear, then, that neither the Patrons of Colleges, nor the members composing the *Senatus Academicus*, are legally entitled to alter their constitution, or infringe the rights and privileges of any of their members, without the sanction of the Legislature, unless particular powers to that effect had been expressly given them.

“ One great object in the institution of these Seminaries was, that Teachers, properly qualified, of respectable characters, and in whom the public could have confidence, should be appointed by the competent authorities to instruct the students who frequented them, in the different departments of Literature and Science. These Teachers are either under the supervision and control of the University, or of the Patrons, or of both. Their principles, doctrines, times and modes of teaching, must all be in conformity with established usage, and must form a necessary and essential part of the whole system, and with which they ought to be in strict unison. Selected, as they generally are, from a number of candidates, upon account of their superior qualifications, a guarantee is thus afforded to the Public, that their duties will be performed faithfully and honourably. Can the same be said of Extra-Academical Teachers, most of whom are either self-appointed, or by fluctuating bodies, who have little or no control over them ?

“ But it is said, “ that the Medical Schools connected with the great London Hospitals, and the School of the Royal College of Surgeons in Dublin, have attained great celebrity, and ought, therefore, to be recognised by this University as a part qualifying for its Medical Degree.” The Committee have no means of judging of the truth of this assertion, nor is it material to their argument. The Pupils may be very well instructed ; but unless it can be shewn that they derive more advantage from these Schools than they can obtain in the Universities which possess Medical Professorships, there seems to be no propriety, through a false liberality, to throw open the

doors of the University to those who may be considered their rivals, and thus endanger the character and welfare of the establishment. But every person who knows any thing of the subject, is aware that the mere attendance upon Lectures, however excellent, will never qualify a student for examination. The principal object of Lectures ought to be, to give a clear and comprehensive view of the outlines and principles of every Art and Science, and to direct the student, by his own reading and observations, that he may obtain a thorough knowledge of the whole in all its parts and relations. The measure proposed by the majority of the Medical Faculty is an alleged expediency, and, like all such propositions which owe their origin to particular circumstances, and are calculated to injure established rights, ought to be regarded with caution and jealousy, however supported by the examples of others. It is no argument, because one College, or one University, has, in violation of its constitution, thrown open its doors to Extra-Academical instruction, with the view of attracting a greater number of students or graduates, that the University of Edinburgh should do the same.

“ But would the recognition of Extra-Academical Schools really bring a greater number of students, and candidates for the Degree of M. D., to this University? It is not improbable, that for a few years the number of candidates might be increased, while that of the students would be diminished; but if any thing be done to create the belief, that Extra-Academical instruction is equal, if not better, than what is obtained within the walls of a College, what inducements would students have to attend the University, when they could get the necessary information nearer home, and probably in some places at a cheaper rate? And though the Medical Degree in this University may at present be in high estimation, it is to be feared it will not long continue so, if unacademical bodies are to be put nearly on the same level in the article of instruction. The value of the instruction and the value of the Degree will go together, as is most natural they should; and any measure that will lower the one in the eyes of the world, will also lower the other. The high character of the Medical Professors in this University gave importance to its Degree;

if that character is lowered in any way, the Degree will sink also in public estimation.

“ But, suppose the Medical Schools of London and Dublin were recognised, will others not assert an equal right to participate in the indulgence? This has already been done by the College of Surgeons in this place, and by a number of the Extra-Academical Lecturers. If ample provision had not been made for teaching every branch of Medicine in this University, the statements of these gentlemen might have been entitled to some consideration, as they appear most willing to supply every defect; but when their principal argument for being admitted to a participation of the rights of Professors, rests upon the contingent inability of a Professor to discharge his duty efficiently, either through age or the visitation of Providence, it can hardly be admitted consistent with humanity, or a sense of justice. It is utterly impossible that the Patrons can agree to such a proposition without ruining the University. If the Chairs were liberally endowed, the injury to the individual would be less, but not so to the establishment. Could it be endured, that a man who has spent the best days of his life in upholding, perhaps extending, the reputation of the University, should, when the weight of years begins to be felt, and when he has no extra provision for the support of his family, find the rights and privileges, which he fancied he possessed in virtue of his commission, transferred to any competitor who would undersell him in the open market of Medical traffic? If the argument is worth any thing as regards Medical Chairs, it is equally applicable to all others in the University. The Professors in the Faculties of Divinity and the Arts may hope to grow old like their colleagues; they are liable to bodily and other infirmities as well as they; and may be unable to teach their classes with the same efficiency as in their younger days. If the plea of the self-constituted Teachers be admitted, they too may look to be cashiered, and their places supplied by voluntary Professors, who, through the eagerness of competition, will infallibly degrade the Science.

“ The Patrons have the power of regulating or altering the statutes for conferring the Degree of M. D. in the University.

Have they any control over the Lecturers, or the London Hospitals, or the self-constituted Teachers in Edinburgh? Have they any knowledge of their characters, of their abilities or qualifications for the departments they profess to teach? or can they take any cognizance, either of the nature of their Lectures, or the length of their course, or the mode in which they conduct their Classes, or enforce attendance upon their pupils? Assuredly not.

“But it is said that the Public may suffer in consequence of the inefficiency of Professors in the University. The Public, or the Government, which represents the Public, has it in its power to remedy the evil, without doing an act of gross injustice to individuals, as well as injury to the establishment, by bestowing *retiring pensions* on those who, through age or infirmity, are unable satisfactorily to perform their public duties, and thus leave room for fair and honourable competition. This has been done in one instance (Professor Wallace) already; and it is to be hoped that it will be repeated when other occasions occur, though it is evident it will not suit the views of the advocates of free trade.

“It is stated, both by the majority of the Medical Faculty, and in the Memorial of the extra-academical teachers, that one of the principal causes of the diminution in the number of Medical Students of late years, is owing to exclusive privileges tenaciously retained by the University, in excluding all extra-academical education, and thus obliging them to go to other Universities where a more liberal system is followed. These privileges may, perhaps, have prevented the encrease of graduates, but will not account for the diminished number of students. In the other Faculties, an equal diminution has taken place, owing to a variety of causes. Every profession is overstocked. There is not the same demand for the services of educated men as in former times. Schools, Academies, Colleges, have started up in every corner of the land, all holding out great professions, and all vying with each other in the liberality of their views. Old establishments cannot afford to run the same race of popularity, and when they have attempted it, it has been at the expense of their dignity and usefulness. The plan proposed by the ma-

jority of the Medical Faculty would encourage, instead of checking the growth of these rival establishments, and would tend, instead of drawing students to Universities, to scatter them amongst the inferior and irresponsible schools.

“ Your Committee cannot better express their opinion on the matter before them, than by quoting the statement of the Medical and Surgical Professors in the University, regarding certain Propositions made by the Royal College of Physicians and the Royal College of Surgeons, relative to the Education of Medical Practitioners.

“ ‘ They agree to much of what is here said, but decidedly dissent from the conclusion, that Universities should be prohibited by law from making the regulation which has been in force in that of Edinburgh for seventy years, by which every candidate for graduation is required to have studied *once* in some University, British or Foreign, empowered to grant Degrees in Medicine, every branch which is imposed on him by the curriculum. They do not wish to impose this law on other Universities, but only that the University of Edinburgh shall not be prohibited from maintaining it, so long as they shall judge it necessary in order to secure that the Professorships shall be an object of ambition to men of talent and of good prospects in the profession. They think it obvious that a certain amount of privilege is essential, in the case of Universities destitute of endowment in this department, to make the office of Teacher an object of ambition to men of talent. They beg it may be observed, that the monopoly exercised by any University Teachers, consists merely in compelling the attendance of students on the instructions of men who have been selected by authorities recognised by the Government, on account of their knowledge of the subjects which they teach ; and they think it unnecessary to guard against any undue stretch of this monopoly in the case of a Degree, which is in fact only an honorary distinction, conferring no exclusive right of practice, and which is equally granted by various Universities, openly competing with one another, and more than one of which is found, by experience, to be always ready to admit of a large proportion of extra-academical education in the qualification for its Degree.

• ‘ If the Legislature think it necessary to define accurately the kind of study, within and without Universities, which ought to qualify for the Medical Degree, the Professors think that there is only a proper deference to the authority by which Universities are constituted, and a proper security to the Public, in allowing them to require, as the University of Edinburgh does, that the candidate should study once every branch of study contained in the curriculum for the Degree, under a Teacher expressly appointed to teach it in some University, British or Foreign, which grants that Degree; making it incumbent on them, at the same time, to require of him, either by the strictness of the examination to which he is subjected, or by express enactment, to study some of those branches more than once, and permitting all such repetition of study to be in Extra-Academical Schools;—a system which has been found, by long experience, to combine the important advantages of securing such a remuneration to the Professorships, as to make them objects of ambition to the leading members of the Profession, and of holding out such encouragement to self-appointed Teachers, as to secure a constant succession of such Teachers in all the most important branches, to rival the usefulness, and stimulate the exertions, of the Professors.’

“ The Committee have only further to add their conviction, that while the proposed measure of throwing open the doors of the University to extra-academical qualification, will neither promote its credit nor interest in general, it cannot fail to prove very injurious to those Medical Classes, similar to such as are taught in all the numerous schools which have of late years been established in different parts of the United Kingdom.”

THOS. CHS. HOPE.
JAMES HOME.
GEORGE DUNBAR.
THOS. CHALMERS.
PHILIP KELLAND.
ALEX. MONRO.
GEO. MOIR.
ROBT. GRAHAM.
JAS. PILLANS.
JAS. D. FORBES.

XIII.—*Interlocutor of Lord Mackenzie, his Lordship's Note, and Interlocutor of the Inner-House, in the Action of Declarator at the instance of the Magistrates and Town Council against the Principal and Professors.*

Edinburgh, 13th November 1827.

THE Lord Ordinary having considered the Closed Record, the Revised Cases for the parties, and whole process; Finds, That the Pursuers have right of making regulations or statutes for the College of King James, and that in respect to the studies to be pursued in the College, and course of study for obtaining Degrees, as well as in other respects: Finds, That the Principal and Professors of the said College, have not right to make regulations, statutes, or laws for the College, in contradiction to the pursuers, or which may not be rescinded or altered by the pursuers; and decerns and declares accordingly: Therefore finds, That the resolution of the defenders, of date the 25th October 1824 libelled, was *ultra vires* of the defenders, and ought to be recalled, and ordains the defenders to recal the same; and decerns: And finds that the order and Act of Council, of date the 26th of October 1825 libelled, and the Act of Visitation libelled, are valid laws of the College, and ordains the defenders to give obedience to the same; and decerns: But finds, That there are not good grounds for declaring that the defenders have not right to make regulations or statutes for the College, without the express sanction of the pursuers, which may be valid, provided the pursuers do not previously forbid, or afterwards rescind or alter the same; and to that extent assoilzies the defenders, and decerns: Finds no expences due to either party.

(Signed)

J. H. MACKENZIE.

Note.—It appears to the Lord Ordinary, that the Town-Council have claimed and exercised all along from the first institution of the College, the power generally of making regulations, and that this power has never been resisted or denied until the present dispute about the Midwifery Class being added to the *curriculum*. An attempt is made by the defend-

ers to distinguish regulations of one kind, or certain kinds, from others; but the Lord Ordinary cannot see any sufficient ground for this, nor, indeed, clearly see how the distinction could be drawn. The exercise of the powers of making rules by the Principal and Professors, when not contrary to the will of the Magistrates, is not inconsistent with the above powers in the Town-Council. Under such a state of possession, the Lord Ordinary thinks it would be too much to hold, that the Act of Parliament made in favour of the College *and its Patrons* took away this power from the Town-Council, or limited their power to the bare *ordinary* patronship, *i. e.* the mere management of the funds, and nomination of Professors; and yet unless it did this, it is hard to see how it could limit this power at all. It will be observed, that the finding in favour of the Town-Council that they have such power generally, by no means implies that every thing they may do in exercise of such power will be legal or valid. And so the finding in favour of the defenders is by no means meant to infer, that all they may do, or have done, when not opposed by the Magistrates, or even when seconded by them, is legal. The Lord Ordinary gives no opinion on the competency of the Principal and Professors interfering at all as legislators on some occasions, where for instance they are personally interested.

(Signed) J. H. MACKENZIE.

Edinburgh, 15th January 1829.

The Lords having advised the cause, and heard the counsel for the parties; Refuse the desire of the Reclaiming Note; * adhere to the interlocutor submitted to review; and decern.

(Signed) D. BOYLE, *I. P. D.*

* *For the Principal and Professors.*